

REMARKS

This amendment is submitted under the provisions of 37 C.F.R. § 1.111 and is responsive to the Office Action dated August 23, 2000 pursuant to which claims 1-36 stand rejected under 35 U.S.C. § 102(e), claims 1 and 19 stand rejected under 35 U.S.C. § 112.

The applicant appreciates and is grateful for the Examiner's helpful suggestions and comments. These comments and suggestions are integrated and reflected in the above new claims and the discussion below.

The objections, stated in paragraph 2 of the Office Action, to claims 1 and 19 are no longer at issue due to applicant's adaptation of Examiner's suggestions. It is respectfully requested that this objection is traversed and its reconsideration is respectfully solicited.

The rejection, pursuant to 35 U.S.C. § 112, second paragraph, stated in paragraphs 3 and 4 of the Office Action, regarding a definition of "said traditional calculation" is no longer at issue. The Examiner is respectfully directed to page 21, line 21, through page 22, line 16, of the applicant's specification, where the applicant presents discussion on "traditional calculation" of relevancy rankings. It is respectfully requested that this objection is traversed and its reconsideration is respectfully solicited.

Referring to Page 3, Paragraph 7 of the Office Action, the Examiner's rejection of claim 1 of applicant's invention is respectfully traversed and its reconsideration is respectfully

solicited. The implementation of a particular user query and the calculation of the relevancy of a resource based on the query is well known in the prior art and is an essential operation for all search engines. Culliss, [col.8 lines 40-50], does not comprise rating, by multiple users, said calculation of the relevancy of said resource. Rather, he provides an example of how his search engine relevancy technique calculates key term probability scores. This is an algorithmic example, not a description of the incorporation of human feedback. In [col.8 lines 50-67], Culliss does not collect said ratings from said multiple users. Rather, he shows how the multiplication of key term probability scores can be used to determine ranking of resources. Again, this is an algorithmic example, not a description of the collection of ratings.

Referring to Page 3, Paragraph 8 the Office Action, the Examiner's rejection is again respectfully traversed and its reconsideration is respectfully submitted. The Examiner rejects claim 19 of the applicant's invention using the same reasons as the Examiner used in rejecting claim 1. Since, the rejection of claim 1 has been traversed, it is respectfully submitted that the rejection of claim 19 is also traversed and, thus, its reconsideration is respectfully requested.

Referring to Page 4, Paragraph 9 the Examiner's rejection is respectfully traversed and its reconsideration is respectfully solicited. Claims 2 and 20 are dependent claims and, thus, incorporate all of the limitations of claims 1 and 19 respectively. Therefore, since the rejections concerning claims 1 and 19, independent claims, have been respectfully traversed, it is respectfully submitted that the rejections concerning claims 2 and 20 have also been traversed and their reconsideration is respectfully submitted.

Referring to Page 4, Paragraph 10 the Examiner's rejection is respectfully traversed and its reconsideration is respectfully solicited. Claims 3 and 21 are dependent claims and, thus, incorporate all of the limitations of claims 1 and 19 respectively. Therefore, since the rejections concerning claims 1 and 19, independent claims, have been respectfully traversed, it is respectfully submitted that the rejections concerning claims 3 and 21 have also been traversed and their reconsideration is respectfully submitted. Furthermore, Culliss [col 4.lines 60-64] does not prompt each of the multiple users to visit resources on the said query result list and rate the resources visited in response to the particular query; Culliss [col 4.lines 60-64] is, in fact, a table of resources associated with key terms in the index, and in no way does it prompt users to evaluate the relevancy of individual resources to them and their query. In [col.8 lines 50-67], Culliss does not gather a set of evaluations from each of the multiple users who have rated said resources. Rather, he shows how the multiplication of key term probability scores can be used to determine ranking of resources. This is an algorithmic example, not a description of the collection of ratings. Culliss [col. 10,lines 42 to col. 12, lines 39] does not modify said calculation of said search engine relevancy for said visited resources particular query based on said set of evaluations; instead, he incorporates ratings assigned a priori to resources (i.e. applied by the authors of the resources, not the users of the search engine) and hence these ratings are not equivalent to the said set of evaluations. Culliss treats "ratings" as "key terms" (col. 11, lines 28-30) not "evaluations of the search engine's performance".

Referring to Page 5, Paragraph 11 the Examiner's rejection is respectfully traversed and its reconsideration is respectfully solicited. Claims 16 and 34 are dependent claims and, thus, incorporate all of the limitations of claims 3 and 21 respectively. Therefore, since the rejections

concerning claims 3 and 21 have been respectfully traversed, it is respectfully submitted that the rejections concerning claims 16 and 34 have also been traversed and their reconsideration is respectfully submitted. Furthermore, Culliss [col. 12, lines 25-30] does not describe anti-spamming methods, simply the identification of resources unrelated to the search term. Spamming means manipulation of search engine rankings by resource owners, and anti-spamming means preventing this manipulation. Culliss [col. 12, lines 25-30] does not describe such methods.

Referring to Page 5, Paragraph 12 the Examiner's rejection is respectfully traversed and its reconsideration is respectfully solicited. Claims 17 and 35 are dependent claims and, thus, incorporate all of the limitations of claims 3 and 21 respectively. Therefore, since the rejections concerning claims 3 and 21 have been respectfully traversed, it is respectfully submitted that the rejections concerning claims 17 and 35 have also been traversed and their reconsideration is respectfully submitted. Furthermore, Culliss [col. 18, lines 18-66] does not teach providing a web browser modified to accept user evaluations and transmitting said evaluations to said search engine; rather, Culliss here describes standard techniques for communicating between an Internet client and server. The applicant's invention involves a modifying the browser to provide a means for part of the search engine interface to remain with the user as the user visits sites and pages proposed by the search engine.

The Examiner's rejections, based on 35 U.S.C. § 102(e), stated in paragraphs 5 through 12 are no longer at issue due to the above discussion and the subject matter presented by the original claims does not present an anticipated invention and, thus, avoids conflict with the

patent to Culliss, U.S. Patent No. 6,014,665. Therefore, in light of the following discussion, it is respectfully requested, that Examiner's rejections, stated in paragraphs 5 through 12, are traversed and reconsideration of such rejections is respectfully solicited.

U.S. Patent No. 6,014,665 to Culliss discloses a method of organizing information in which the search activity of users is monitored and such activity is used to suggest additional key terms for addition to a search query. The patent concerns creation and maintenance of an index, the index being able to store key terms and associate each key term with at least one other key term to form key term groupings. The patent is concerned with the automatic refinement of key terms to provide more relevant search results by deducing a complex, refined search from a simple search. By contrast, the applicant's invention is concerned with the manual assessment of a search engine's performance by the search engine's users, in order to improve the performance for future users. Culliss in no way refers to manual assessment by search engine users.

The Culliss patent that the Examiner is using to reject applicant's claims under 35 U.S.C. § 102(e) is describing an invention where the user is not playing an active role in querying, selecting and grading relevancy of viewed websites and their contents to particular users and particular queries. The Culliss invention presents a complicated system of calculating relevancy of searched resources using variations of search activities performed by a user. The relevancy calculations are performed by a computer based on the searched content. The computer program underlying such a search engine is calculating a particular degree of relevance of each searched resource and based on the number of searches performed in a particular area of interest, the computer creates a relevancy index. Furthermore, this computer program describes a method of

calculating relevancy parameters, based on the searches performed. The applicant's invention is way of organizing a search engine using user feedback. There are several instances where the user's input is required. One instance is when the user enters a profile for herself, whereby she enters several parameters about herself, such as age, income, field of profession, etc. The user executes a query, which may be on a variety of subjects, such as car insurance, shopping, or other topics. After the user has executed a query, the search engine returns a list of resources. Having visited a resource in this list, the user is able to rate that resource according to its relevancy to the particular user's need or want. Following a plurality of such ratings, the search engine may incorporate the ratings into its algorithms in order to better calculate relevancy.

The Culliss patent discloses minimal involvement of the user – entry of a query in to a search engine. The user does not enter any other information about herself. The search engine creates a profile based on the searches performed by this particular user. Furthermore, the Culliss patent does not provide any means allowing users to rate search results. In fact, after a search is performed, the search engine takes on a responsibility of implicating a complex program of calculation of relevancy of a particular search result using entered search query terms. It further compares the search results against one another and produces a table of results.

The applicant's invention is based on a user's direct involvement, whereas Culliss' patent avoids any such participation. The operation of the search engine and its efficiency is vitally dependant on the user's feedback, which the user provides through her profile or multiple profiles, through user ratings and user evaluations of the search results presented, based on a


query that user herself entered. The applicant's invention would not perform its functions without direct user interaction.

In view of the present amendment and in light of the foregoing remarks, it is respectfully submitted that the rejections of the record have been overcome; that the cited and applied references of record have been clearly distinguished from applicant's claimed invention; and, that applicant's claims now clearly recite patentable invention. Entry of this amendment and passing this case to an early issue are, therefore, respectfully solicited.

An extension of time within the third month is respectfully requested and a check for \$445.00 is enclosed for such extension of time. Please charge any additional fees to a Deposit Account No. 06-0515.

Respectfully Submitted,

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I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: The Commissioner of Patents and Trademarks, Washington, DC 20231, on 2/23/01

